REMARKS

Claim Rejections - 35 U.S.C. § 102 Over Doi

Claims 1-38 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Doi (U.S. Patent 7,155,735). To anticipate claims under 35 U.S.C. § 102(e), two basic requirements must be met. The first requirement of anticipation is that Doi must disclose each and every element and limitation as set forth in the Applicants' claim. The second requirement of anticipation is that Doi must enable Applicants' claim. Doi does not meet either requirement and therefore does not anticipate Applicants' claim.

Doi Does Not Disclose Each And Every Element
Of Claim 1 Of The Present Application

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Independent claim 1, recites:

1.   A method for controlling access to a computer resource, the method comprising:

receiving from a requesting entity a request for access to the computer resource;

determining that the requesting entity has a proxy permission, wherein the proxy permission has at least one associated proxy rule and the proxy permission has been granted by a proxy grantor, further comprising finding, in dependence upon a requesting entity identification, a proxy permission record in a proxy permission table; and

granting access to the computer resource in dependence upon the proxy
rule.

As explained in more detail below, Doi does not disclose each and every element of
claim 1, and Doi therefore cannot be said to anticipate the claims of the present
application within the meaning of 35 U.S.C. § 102(e).

Doi Does Not Disclose Determining That The Requesting Entity Has A Proxy Permission, As Claimed In The Present Application

The Office Action takes the position that Doi at Figure 7, element s34 and column 20,
lines 43-53 discloses determining that the requesting entity has a proxy permission.
Applicants respectfully note in response, however, that Doi at Figure 7, element s34
discloses is a box in a flow chart that states, "MATCH Proxy PERMISSION IP
ADDRESS PATTERN?" In addition, what Doi at column 20, lines 43-53 in fact
discloses is:

> When the IP address of client computer 102 is not included in the Proxy
> permission IP address pattern, determination is made as to whether an
> access request from client computer 102 is to be granted or not. For this
> determination, Proxy authorization is utilized. Proxy authorization refers
> to determination as to whether the user 100 using browser 104 of client
> computer 102 is a user authorized to make an access, based on the Proxy
> permission user name and the password of the mobile Proxy control
> structure. More specifically, authorization protocol specified in the
> standard of HTTP/1.0 is used as it is.

That is, Doi at Figure 7, element s34 and column 20, lines 43-53 discloses proxy
authorization that refers to determining whether the user using browser of a client
computer is a user authorized to make an access, based on the Proxy permission user
name and the password of the mobile Proxy control structure. Doi's proxy
authorization that refers to a determination as to whether the user using browser of client
computer is a user authorized to make an access, based on the Proxy permission user
name and the password of the mobile Proxy control does not disclose determining that

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the requesting entity has a proxy permission, as claimed in the present application, because Doi's proxy authorization is not a proxy permission, as claimed in the present application. The term 'proxy' is defined to mean "the authority to act for another." *See*, The American Heritage College Dictionary 4th edition (2002). As claimed in the present application, proxy permission is granted by a proxy grantor. That is, the present application recites that a proxy grantor grants proxy permission to a requesting entity, thereby authorizing the requesting entity to access a resource as the substitute of another entity. In contrast to the claims of the present application, Doi's 'proxy authorization' refers to whether a user can access a proxy. The determination of whether a user can access a proxy is based on whether the user has a user account with the proxy. That is, Doi merely discloses a user accessing their *own* account on the proxy rather than granting proxy permission to a resource controlled by *another entity*. According to Doi, a user gains access to the proxy by virtue of the user having an account on the proxy – the user does not access a resource by virtue of a proxy grantor granting proxy permission for a user to access a resource as the substitute of another entity that has access rights to the resource. That is, the present application and Doi disclose entirely distinct methods of controlling access, Doi requires a user to have an account with a proxy for the user to be able to access the proxy, while the present invention requires a proxy grantor to grant proxy permission to a user that would otherwise not have access to the resource. As such, Doi does not disclose proxy permission as claimed in the present application. Because Doi does not disclose proxy permissions as claimed in the present application, Doi cannot disclose determining that the requesting entity has a proxy permission, wherein the proxy permission has at least one associated proxy rule and the proxy permission has been granted by a proxy grantor, as claimed in the present application. Because Doi does not disclose each and every element and limitation of Applicants' claims, Doi does not anticipate Applicants' claims, and the rejections under 35 U.S.C. § 102 should be withdrawn

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Doi Does Not Enable Each And Every Element
Of The Claim Of The Present Application

Not only must Doi disclose each and every element of the claims of the present application within the meaning of *Verdegaal* in order to anticipate Applicants' claims, but also Doi must be an enabling disclosure of each and every element of the claims of the present application within the meaning of *In re Hoeksema*. In *Hoeksema*, the claims were rejected because an earlier patent disclosed a structural similarity to the Applicant's chemical compound. The court in Hoeksema stated: "We think it is sound law, consistent with the public policy underlying our patent law, that before any publication can amount to a statutory bar to the grant of a patent, its disclosure must be such that a skilled artisan could take its teachings in combination with his own knowledge of the particular art and be in possession of the invention." *In re Hoeksema*, 399 F.2d 269, 273, 158 USPQ 596, 600 (CCPA 1968). The meaning of *Hoeksema* for the present case is that unless Doi places Applicants' claims in the possession of a person of ordinary skill in the art, Doi is legally insufficient to anticipate Applicants' claims under 35 U.S.C. § 102(e). As explained above, Doi does not disclose each and every element and limitation of independent claim 1 of the present application. Because Doi does not disclose each and every element and limitation of the independent claim, Doi cannot possibly place the elements and limitations of independent claim 1 in the possession of a person of ordinary skill in the art. Doi cannot, therefore, anticipate claim 1 of the present application.

Relations Among Claims

Claims 2-4 and 6-9 depend from independent claim 1. Each dependent claim includes all of the limitations of the independent claim from which it depends. Because Doi does not disclose or enable each and every element of independent claim 1, Doi does not disclose or enable each and every element of the dependent claims of the present application. As such, claims 2-4 and 6-9 are also patentable and should be allowed.
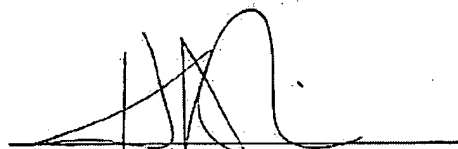
Conclusion

Claims 1-4 and 6-9 stand rejected under 35 U.S.C. § 102 as being anticipated by Doi. Doi does not disclose each and every element of Applicants' claims. Doi therefore does not anticipate Applicants' claims. Claims 1-4 and 6-9 are therefore patentable and should be allowed. Applicants respectfully request reconsideration of claims 1-4 and 6-9.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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